

App'x 4

1 Q. Are you still on those medications today?

2 A. I am, and they increased one of those medications, and I'm
3 still continuing to take them on a daily basis.

4 Q. Do you still see Dr. Bellotti?

5 A. Dr. Bellotti I do not see. He is retired due to a health
6 issue.

7 Q. And did he refer you to someone?

8 A. I was referred to Jeff Kochiss for therapy. I see Jeff
9 Kochiss once a week, and also if I have difficulties, I call
10 him by phone and have a conversation if I'm having a tough
11 time.

12 Q. And how often are you currently seeing your psychiatrist?

13 A. My psychiatrist I see once a month to go over my medication
14 and to see how I am also doing.

15 Q. How often did you see Dr. Kramer?

16 A. Dr. Kramer, it was a total for a year. I did see him every
17 few weeks in the beginning. He prescribed me to a physical
18 therapy -- yeah, physical therapist to help me to exercise to
19 improve my pain in my lower back, lower strain.

20 Q. Do you still experience any flashbacks at all?

21 A. I do. I do experience flashbacks, dreams that are
22 triggered by things around me.

23 Q. What are they like, Tom?

24 A. They very painful. Anything that associates me with the
25 railroad, anything that brings me back to that day, August 4,

1 it could be a television show, by accident, watching with my
2 children; it could be just running into a person in a grocery
3 store that I worked with. It all triggers back mostly to me
4 every day.

5 Q. Do you still have any nightmares?

6 A. I still do have nightmares.

7 Q. Now, with the criminal case against you were you required
8 to go to court after your arraignment?

9 A. I was ordered to appear in court for my criminal charges.

10 Q. And how many times did you appear in court for the criminal
11 matter?

12 A. I believe four times I appeared in court.

13 Q. And what happened the last time you went to court for
14 the --

15 A. The last --

16 Q. -- the criminal charges?

17 A. The first day I was -- the first day I know I was released
18 from my major charges of felony charges, which were very
19 painful. And then we went back to court, continued to get all
20 charges dropped and cleared.

21 Q. When your charges were dismissed by the Court, was there
22 publicity about your case at that point?

23 A. Yes.

24 Q. And was it better publicity than it was when you left the
25 courthouse back on August 4, 2017?

1 drugs or anything of that nature?

2 A. Can you repeat that question, please.

3 Q. You weren't asked questions by Mr. Cahill about illicit
4 drugs or anything of that nature?

5 A. No.

6 Q. When you went to Bellevue Hospital or when you were taken
7 to Bellevue Hospital, were you alone without family members or
8 friends or anything of that nature?

9 A. Yes.

10 Q. And you were this Bellevue how long?

11 A. I was in Bellevue from 1:39 to 6:30.

12 Q. Was this before or after you were able to phone your wife?

13 A. Can you repeat that question, please.

14 Q. Were you in Bellevue before or after you phoned your wife?

15 A. In Bellevue before.

16 Q. You were here yesterday when Mr. Bellotti's videotaped
17 testimony was shown to the jury?

18 A. Yes.

19 Q. And Mr. Bellevue was shown the Bellevue Hospital record, a
20 portion of it.

21 Do you recall that?

22 A. Yes.

23 Q. And it indicated that you were under treatment for
24 depression by Dr. Bellotti.

25 A. Yes.

1 Q. Do you know where the Bellevue personnel got that
2 information from, if not from you?

3 MR. CAHILL: Objection, your Honor.

4 THE COURT: Overruled.

5 THE WITNESS: Repeat the question, please.

6 BY MR. EFRON:

7 Q. Do you know where the personnel at Bellevue got the
8 information that you were under treatment for depression by
9 Dr. Bellotti if not from you?

10 A. I'm not sure.

11 Q. Do you recall when Dr. Bellotti was shown a portion of the
12 Yale New Haven Hospital record?

13 A. Dr. Bellotti, yes.

14 Q. And that portion of the record indicated that you were
15 under treatment longterm by Dr. Bellotti.

16 A. Longterm as of when?

17 Q. Before the incident.

18 A. It was not longterm.

19 Q. But you were under treatment by Dr. Bellotti for this
20 before this incident?

21 A. Yes.

22 Q. Was that for anger management?

23 A. No.

24 Q. What was it for?

25 A. Anxiety.

1 Q. What medications were prescribed?

2 A. Ativan, Ativan, and that's all I recall at this time.

3 Q. You mentioned that you were treated for anxiety prior to
4 this incident.

5 Were you under any medication for anxiety prior to
6 this incident?

7 A. Yes.

8 Q. What medications?

9 A. Lexapro.

10 Q. Did these two psychiatrists who saw you at Yale refer you
11 to anybody for treatment?

12 A. They referred me to my primary doctor.

13 Q. Your primary doctor was who?

14 A. Dr. Mark Kasper.

15 Q. What kind of a physician was Mark Kasper?

16 A. Kasper, K-a-s-p-e-r.

17 Q. Kasper.

18 What kind of physician is he?

19 A. He's a primary health doctor.

20 Q. So two psychiatrists who prescribe an antianxiety
21 medication refer you to a general practitioner for treatment?

22 A. Yes.

23 Q. Did Dr. Kasper refer you to anybody? Another doctor or
24 physician?

25 A. Yes.

1 Q. Who?

2 A. Dr. Mike Bellotti.

3 Q. You knew Dr. Bellotti at that point in time; right.

4 A. Yes.

5 Q. Why didn't you make that phone call to Dr. Mike Bellotti?

6 Why did you need that referral?

7 A. I called Dr. Bellotti I believe on Sunday to notify him
8 what I was going through. And I went to my primary doctor, and
9 he recommended me also to see Dr. Bellotti.

10 Q. So you didn't really need the physicians at Yale New Haven
11 or your primary care physician to refer you to a doctor that
12 you had seen relatively recently before the incident.

13 A. No.

14 Q. And how often were you seeing Dr. Bellotti following the
15 incident?

16 A. Twice a week.

17 Q. Is that true of the first time pre incident that you saw
18 Dr. Bellotti? Was it twice a week then as well?

19 A. No.

20 Q. How often was it then?

21 A. Twice a month.

22 Q. This whole business of flashbacks, Dr. Bellotti you heard
23 yesterday when you were in the courtroom testified that your
24 flashbacks are rare. And today you testified that they're
25 common. You have them frequently.

1 Which is correct?

2 A. Frequently.

3 Q. So Dr. Bellotti got it wrong?

4 A. Dr. Bellotti did not get it wrong. It just could have been
5 an answer that was not correct from my understanding.

6 MR. CAHILL: Objection, your Honor. What timeframe
7 are we talking about?

8 THE COURT: Would you step up, please.

9 (Continued on next page)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 (In open court; jury present)

2 THE COURT: Go ahead.

3 BY MR. EFRON:

4 Q. At a certain point, you started seeing Dr. Bellotti less
5 frequently; correct?

6 A. Yes.

7 Q. That was within six months of your treatment with
8 Dr. Bellotti?

9 A. Yes.

10 Q. Was that a decision that was jointly made between you and
11 Dr. Bellotti to reduce the frequency of your visits from twice
12 a week to once a week?

13 A. Yes.

14 Q. Were you showing signs of improvement after six months?

15 A. Yes.

16 Q. Can you describe the improvement you were experiencing.

17 A. Improvements meaning that I did not have to see him twice a
18 week. Once a week was good to go over my health conditions
19 with my therapy.

20 Q. Was there a lessening of your symptoms that led you to that
21 decision to see Dr. Bellotti once a week rather than twice a
22 week?

23 A. Yes. A minor lessening.

24 Q. I'm sorry?

25 A. A minor lessening.

1 testimony.

2 THE WITNESS: I don't recall that testimony.

3 BY MR. EFRON:

4 Q. Who referred you to a psychiatrist following this incident?

5 A. Dr. Bellotti.

6 Q. Who did he refer you to?

7 A. Alessandra Buonopane.

8 Q. When did you see her for the first time?

9 A. I would say a week after the incident.

10 Q. I'm sorry?

11 A. A week after the incident.

12 Q. Did she prescribe any medication at that time?

13 A. She prescribed additional Ativan dosage. She prescribed
14 Lexapro increase, and that was it.

15 Q. How often do you see her?

16 A. Dr. Buonopane retired or closed her business.

17 Q. When you were seeing her, how often was it?

18 A. I saw her -- I think it was every other week.

19 Q. And then you started seeing Dr. Zatman?

20 A. Yes.

21 Q. Was that every other week as well?

22 A. In the beginning, every other week.

23 Q. Did either Dr. Buonopane or Dr. Zatman engage you in any
24 talk therapy?

25 A. No.

1 handle.

2 Q. Did Dr. Bellotti tell you at any time that he was seeing
3 you, but for triggering events like seeing a police officer or
4 getting on a train, your life had returned to normal?

5 MR. CAHILL: Objection.

6 THE COURT: Overruled. You may answer.

7 THE WITNESS: Can you repeat the question.

8 (Record read)

9 THE WITNESS: No.

10 BY MR. EFRON:

11 Q. In what respects is it different from the life you had
12 before the incident?

13 A. You'd like to know the changes in my life before the
14 incident?

15 Q. How your life now is different from what it was before the
16 incident.

17 A. My life has changed dramatically.

18 Q. How so?

19 A. My daily life has changed. I was taken away from a job I
20 truly loved. And I continued to have many effects from that
21 day that things happened.

22 Q. Would you say your life today is the same as it was one
23 month after the incident?

24 A. Yes.

25 Q. So there's been no improvement at all.

1 Is that what you're saying?

2 A. I'm saying I have moments that happen on a daily basis that
3 trigger my emotions -- things I see, people I see, objects I
4 see. It's a situation that will never leave me.

5 Q. And you experience these emotions, these reactions, on a
6 daily basis?

7 A. Yes.

8 Q. So if Dr. Bellotti had documented in his notes, that would
9 be wrong? That would be an incorrect assessment?

10 A. No. They have not improved.

11 Q. Do you recall being kidded by coworkers that you may sit
12 this out and collect a big settlement?

13 A. Yes.

14 Q. Were these coworkers who were friends of yours?

15 A. No.

16 Q. Did they say this directly to you? Or did you hear it
17 through some third source?

18 A. By running into them -- by running into my coworkers at a
19 grocery store or somewhere not every day.

20 Q. But you were told by them or asked by them whether you're
21 sitting it out to collect a big settlement?

22 A. Not all coworkers.

23 Q. Some though.

24 A. Very few.

25 Q. Was there any truth in what they said?